

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
MARK PURDY PRESIDING
OCTOBER 15, 2015
9:00 A.M.**

Staff Present:

Dorian Koloian, Clerk III
Mary Allman, Secretary, Special Magistrate
Diana Cahill, Clerk III
Yvette Cross-Spencer, Clerk III
Sharon Ragoonan, Code Compliance Manager
AnnMarie Lopez, Project Specialist
Lori Grossfeld, Clerk III
Porshia Goldwire, Administrative Assistant
Rhonda Hasan, Assistant City Attorney
Brad Weissman, Assistant City Attorney
Jose Abin, Building Inspector
Wanda Acquavella, Code Enforcement Officer
Frank Arrigoni, Building Inspector
Andre Cross, Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
Linda Holloway, Code Enforcement Officer
Leroy Jones, Building Inspector
Robert Kisarewich, Fire Inspector
George Oliva, Chief Building Inspector
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Maria Roque, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents and witnesses

CE15071817: John Adam Brown, owner
CT15021066: Jeremy Moening, tenant
CE15051181: Ricardo Oschenec, attorney
CE15042056: Saar Hyatt, owner
CE15060969: Alexis Amaya, contractor
CE15080767; CE15080773; CE15080775: Eduardo Lacasa, attorney; Matthew Hershed, attorney; Stephanie Toothaker, attorney; Kim Renee, Florida Department of Children and Families; Jean Costa, Florida Department of Children and Families; Kristin Stablen, Chrysalis Health; Sandy Gatano, South Middle River Civic Association; Timothy Emerson, South Middle River Civic Association; Donnalee Minot, South Middle River Civic Association; Gerry Scanlon, Little Acorn Developments; Timothy Smith, Central City Alliance; Charles King, neighbor

CE14061499; CE14060484; CE14081782; CE14061500; CE14040495: Michael Sands, branch manager; Randy Scott, owner
CE15060793: Steven Bader, owner
CE15030320: Alan Michael Fertel, condo association representative
CE14060612: May Halford, owner's daughter
CE15020089: Angelo Torres, owner
CE14102294: Hanna Turner, property manager
CE10070600: Tracy Lalim, owner
CE10101100: Archana Maini, owner
CE10070600; CE14031526: Edward McDonough, attorney
CE14110561: Shari Carpenter, agent
CE12032150; CE05101495; CE09011955; CE12050435: Jonathan Bloom, attorney
CE07110919: Steven Bader, managing member
CE13091616: Daniel Gitlin, broker
CE10082026: Aaron Echols, owner
CE10051025; CE08072322: Frank Walker, attorney
CE13121166: Amir Saeed, attorney

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

The meeting was called to order at 9:13 A.M.

Case: CE15051181

411 Northwest 12 Avenue
CNW REALTY STATE LLC

Leroy Jones, Building Inspector, testified to the following violation:
18-7(a)

THE BUILDING IS VACANT WITH DOORS, WINDOWS OR
OTHER OPENINGS BROKEN OR MISSING ALLOWING
UNAUTHORIZED ACCESS TO INTERIOR.

Inspector Jones reported notice had been mailed on 5/20/15 and the property was still open and abandoned on 6/11/15. The property had been secured by the City on 7/22/15.

Ricardo Oschenec, attorney, said the owner lived in Brazil and an agent visited the property twice per month. Notices had been sent to the property address, not the agent. He stated as soon as the agent was aware of the violations, he had pulled a

permit to replace the windows but they were not impact resistant, so he had needed a new estimate. In the meantime, the City boarded the house.

Inspector Jones stated the owner had been notified but the agent had taken no action until after the property was secured. Mr. Oschenec had the estimate for the impact windows, which was dated 6/25/15, but he did not have the estimate or permit application for the original proposal.

Judge Purdy denied the request.

Case: CE15060793

1400 Northeast 10 Avenue
STEVEN BADER REV TR BADER, STEVEN
& BADER HALLIE TRSTEE

Salvatore Viscusi, Code Enforcement Officer, testified to the following violation:
24-7(b)

UNLAWFUL ACCUMULATION OF SOLID WASTE (RUBBISH, DEBRIS,
BUILDING MATERIALS, LITTER BULK TRASH, ETC.) ON THE
PROPERTY AND/OR SWALE CONSTITUTING A PUBLIC NUISANCE.

Officer Viscusi reported the property had been cited on 6/11/15 and the trash was still present on 6/15/15. The property had been cleared by the City on 6/16/15. Officer Viscusi had never been contacted by any property representative.

Steven Bader, owner, said he had not received notice and the tenants had not notified him of the posting. He said there was no reason for his tenant to dump items on the property because there was a dumpster nearby. Mr. Bader requested a reduction of the fine. Officer Viscusi showed photos of the trash to Mr. Bader.

Judge Purdy denied the request.

The following three cases for the same owner were heard together:

Case: CE15080767

1133 Northwest 7 Avenue
TIITF/HRS-YOUTH SERV BROWARD CHILDREN SHELTER

Personal service was made to Kris Rivera on 5/29/15.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:

18-1.

THE OPERATION AT THIS ADDRESS IS CREATING A NUISANCE, IN THAT THERE HAS BEEN A NEGATIVE IMPACT ON OTHER PROPERTIES.

47-34.1.A.1.

THIS RD-15 ZONED PROPERTY IS IN VIOLATION OF THE PERMITTED USES AS INDICATED IN THE ULDR SECTION 47-5.12, AS THE PROPERTY IS CURRENTLY BEING ILLEGALLY USED AS A LEVEL IV OR LEVEL V SSRF. SUBJECT TO ULDR SEC. 47-3, VIOLATOR MAY PROVIDE INFORMATION DEMONSTRATING THAT THE USE AT THIS LOCATION IS NONCONFORMING. IF COMPLIANCE WITH THIS SECTION CANNOT BE DEMONSTRATED, THE USE IS CONSIDERED NONCONFORMING.

Officer Gottlieb presented photos of the property and the case file into evidence, and showed Judge Purdy a spreadsheet regarding 139 Police cases for these addresses.

Ms. Hasan referred to the first violation: 18-1, and said from 12/1/14 until 6/24/15, there had been 384 Police calls for service to the facility. Of those 384, 97 related to missing persons. From 1/1/14 until 6/24/15, Crescent house residents had been arrested 138 times for criminal activity throughout the City. Of those arrests, 74 were felony charges and 64 were misdemeanor charges.

Eduardo Lacasa, attorney for the tenant, requested a continuance because the notice had been provided two weeks ago and he had requested documents that he must go through in order to refute that the Police calls involved individuals residing at the facility. Mr. Lacasa said the impact of the City's case could result in the displacement of many dependent children.

Ms. Hasan said the City was ready to go forward and there were numerous community members present wishing to testify. Mr. Lacasa wished to cross-check the documents to ensure the Police calls related to Crescent House residents. If they could not be connected, the nuisance violation could not be found. Ms. Hasan requested if Judge Purdy granted a continuance, it should be a short one, and if testimony was desired from all involved parties, a separate hearing might be needed. Judge Purdy wished to proceed.

Stephanie Toothaker, attorney for ChildNet, said there were many involved parties present and stated they had received the Police records from the City two days ago and she believed they were not accurate. She supported the request for a continuance and a special hearing.

Jean Costa, Florida Department of Children and Families (DCF), requested a continuance to review the documents the City had provided.

Ms. Hasan pointed out that the State of Florida actually owned the property and asked if the State was represented. Ms. Costa said DCF was part of the State and therefore had standing.

Sal Gatania, South Middle River Civic Association, referred to a 2010 email from Kristin Stablen, Chrysalis Health, indicating that many of the residents had criminal histories and stating the facility was supposed to be a 30-day, temporary placement. He presented copies of emails to Ms. Stablen describing damages to neighborhood properties. City Manager Feldman had sent a letter to the State on 1/10/12 indicating there had been 58 arrests at Crescent House in 2011. In March 2012, in response to neighborhood complaints, DJJ had established an action plan which had never been implemented. Mr. Gatania listed several incidents and Police statistics and Mr. Lacasa objected, stating this was hearsay. Ms. Hasan reminded Judge Purdy that in a 162 proceeding, hearsay was admissible.

Mr. Lacasa asked Mr. Gatania if he had likened to this area to a third world country. Mr. Gatania acknowledged there had been a decline in crime in this area in the past few years and said they had worked with the Police and City to accomplish this, but "that one spot remains a sore spot."

Donnalee Minot, neighbor, described a fight at the facility she had audiotaped from her property. She had written a letter and sent to emails to the City describing the facility as a "nightmare" and the fears she had for her family's safety. Mr. Lacasa questioned whether all criminal activity in the neighborhood could be attributed solely to residents of the facility.

Timothy Emerson, South Middle River Civic Association, produced a bag of drug paraphernalia that had been gathered from the Comcast junction box on the swale of the property. Mr. Emerson said residents of the facility had thrown rocks and a hanging planter at him. He described failed neighborhood efforts to engage residents in positive interaction with neighbors. Mr. Lacasa objected to Mr. Emerson's attempt to display photos. Brad Weissman, Assistant City Attorney, disagreed, and specifically cited the missing children reports that were public documents and photos that were taken by neighbors, not government representatives. As such, the public records law did not apply.

Mr. Emerson informed Mr. Lacasa that he had collected some of the drug paraphernalia himself but he had not specifically witnessed a resident of the facility place it in the Comcast box.

Timothy Smith, President of the Central City Alliance, said they had made progress in this area in the past few years but this facility was still a problem. He said in meetings with representatives where they described the neighborhood problems, they were

informed that this was not a jail. Mr. Smith said the facility management “hired a bunch of high priced lawyers” instead of trying to fix things.

Gerry Scanlon, founder and managing partner of Little Acorn Developments, which owned many single-family and duplexes in South Middle River and Lauderdale Manors, stated the three houses within one block of Crescent House had a crime rate “100 times higher” than the other houses they owned. All three houses had been broken into and all three tenants wanted to move.

Charles King, Victoria Park resident, said there were car and home break-ins in his neighborhood that he attributed to the facility’s residents. He felt these facilities should be located “out in the country,” not in the middle of the City.

Judge Purdy tentatively continued the three cases to November 4 and urged everyone to cooperate to provide and review the requested documents.

Case: CE15080773

1135 Northwest 7 Ave

TIITF/HRS-YOUTH SERV BROWARD CHILDREN SHELTER

Personal service was made to Kris Rivera on 5/29/15.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
18-1.

THE OPERATION AT THIS ADDRESS IS CREATING A
NUISANCE, IN THAT THERE HAS BEEN A NEGATIVE IMPACT
ON OTHER PROPERTIES.

47-34.1.A.1.

THIS RD-15 ZONED PROPERTY IS IN VIOLATION OF THE
PERMITTED USES AS INDICATED IN THE ULDR SECTION
47-5.12, AS THE PROPERTY IS CURRENTLY BEING
ILLEGALLY USED AS A LEVEL IV OR LEVEL V SSRF.
SUBJECT TO ULDR SEC. 47-3, VIOLATOR MAY PROVIDE
INFORMATION DEMONSTRATING THAT THE USE AT THIS
LOCATION IS NONCONFORMING. IF COMPLIANCE WITH THIS
SECTION CANNOT BE DEMONSTRATED, THE USE IS
CONSIDERED NONCONFORMING.

Case: CE15080775

1141 Northwest 7 Avenue

TIITF/HRS-YOUTH SERV BROWARD CHILDREN SHELTER

Personal service was made to Kris Rivera on 5/29/15.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:

18-1.

THE OPERATION AT THIS ADDRESS IS CREATING A NUISANCE, IN THAT THERE HAS BEEN A NEGATIVE IMPACT ON OTHER PROPERTIES.

47-34.1.A.1.

THIS RD-15 ZONED PROPERTY IS IN VIOLATION OF THE PERMITTED USES AS INDICATED IN THE ULDR SECTION 47-5.12, AS THE PROPERTY IS CURRENTLY BEING ILLEGALLY USED AS A LEVEL IV OR LEVEL V SSRF. SUBJECT TO ULDR SEC. 47-3, VIOLATOR MAY PROVIDE INFORMATION DEMONSTRATING THAT THE USE AT THIS LOCATION IS NONCONFORMING. IF COMPLIANCE WITH THIS SECTION CANNOT BE DEMONSTRATED, THE USE IS CONSIDERED NONCONFORMING.

The following five cases for the same owner were heard together:

Case: CE14040495

Request for extension

1123 Northeast 13 Street
WOOL FAMILY LTD

This case was first heard on 11/6/14 to comply by 3/5/15. Violations and extensions were as noted in the agenda. The property was not in compliance.

Mary Rich, Code Enforcement Officer, said permits were in process for demolishing all of the properties and recommended a 189-day extension.

Judge Purdy granted a 189-day extension to 4/21/16 for all five cases, during which time no fines would accrue.

Case: CE14060484

Request for extension

1321 Northeast 12 Avenue
WOOL FAMILY LTD

This case was first heard on 11/6/14 to comply by 3/5/15. Violations and extensions were as noted in the agenda. The property was not in compliance.

Case: CE14061499

Request for extension

1315 Northeast 12 Avenue
WOOL FAMILY LTD

This case was first heard on 11/6/14 to comply by 3/5/15. Violations and extensions were as noted in the agenda. The property was not in compliance.

Case: CE14061500

Request for extension

1331 Northeast 12 Avenue
WOOL FAMILY LTD

This case was first heard on 11/6/14 to comply by 3/5/15. Violations and extensions were as noted in the agenda. The property was not in compliance.

Case: CE14081782

Request for extension

1329 Northeast 12 Avenue
WOOL FAMILY LTD

This case was first heard on 11/6/14 to comply by 3/5/15. Violations and extensions were as noted in the agenda. The property was not in compliance.

Case: CE15060612

1947 Southwest 28 Avenue
HALFORD, BETTY J

This case was first heard on 8/20/15 to comply by 9/3/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$1,025 fine, which would continue to accrue until the property was in compliance.

May Halford, the owner's daughter, said her mother was 89 years old but she was doing her best to comply.

Judge Purdy granted a 21-day extension to 11/15/15, during which time no fines would accrue.

Case: CE15011070

Request for extension

808 Southwest 17 Street
EISGROU, MARIETTA & NEAL BRETT

This case was first heard on 6/18/15 to comply by 10/15/15. Violations were as noted in the agenda. The property was not in compliance.

Maria Roque, Code Enforcement Officer, recommended a 63-day extension.

The property representative requested 100 days because the drawings submitted to the City required changes.

Judge Purdy granted a 63-day extension to 12/17/15, during which time no fines would accrue.

Case: CE14102294

2360 North Federal Highway
UNION PLANTERS LLC
% EDENS

This case was first heard on 1/15/15 to comply by 4/16/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$3,800 and the City was requesting the full fine be imposed.

Hanna Turner, property manager, explained that it had taken time to clarify the scope of work with the City.

Judge Purdy imposed a fine of \$520 for the days the property was out of compliance.

Case: CE15030320

1400 Northeast 57 Street
CASA DEL SOL OF BRWD CO CONDO ASSN

Service was via posting on the property on 9/29/15 and at City Hall on 10/1/15.

George Oliva, Chief Building Inspector, testified to the following violation:
FBC(2010) 110.15

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY
ESTABLISHED BY THE BROWARD BOARD OF RULES AND
APPEALS FOR THE BUILDING SAFETY INSPECTION
PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED
WITH:

THE REQUIRED 40 YEARS BUILDING SAFETY INSPECTION
OR THE 10 YEARS RECERTIFICATION INSPECTION REPORTS
PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT
REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN
FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS
OF THE INITIAL NOTICE SENT TO YOU.

Inspector Oliva recommended ordering compliance within 42 days or a fine of \$100 per day.

Alan Michael Fertel, condo association representative, said one repair, which required a permit, remained.

Judge Purdy found in favor of the City and ordered compliance within 42 days or a fine of \$100 per day would begin to accrue.

Case: CE15042056

805 Northwest 18 Street
HAYAT, ELI EMANUEL

This case was first heard on 8/20/15 to comply by 9/3/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,650 and the City was requesting the full fine be imposed.

Saar Hyatt, owner, said there had been two cases on the property. He said the violations were in compliance and requested the fine be waived.

Judge Purdy imposed no fine.

Case: CE15060969

1007 Northwest 8 Avenue
SIMON'S PROPERTY SUNRISE LLC

This case was first heard on 8/20/15 to comply by 9/3/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$2,750 and the City was requesting the full fine be imposed.

Alexis Amaya, contractor, was present.

Judge Purdy imposed no fine.

Case: CE15071817

50 Isle of Venice
50 ISLE OF VENICE LLC
% JOHN A BROWN

Service was via posting on the property on 10/1/15 and at City Hall on 10/1/15.

Jose Abin, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMITS WERE LEFT TO EXPIRE:
BUILDING PERMIT # 09070955 (ATF - FIRE DAMAGE
REPAIR GROUND A & 2ND FLOOR A)
ELECTRICAL PERMIT # 09070957 (ATF - GROUND APT A &
2ND FLOOR APT A ELECTRIC)
PLUMBING PERMIT # 09070959 (ATF-GROUND FLOOR A 2ND
STORY APT A REPAIR FIRE)
BUILDING PERMIT # 13120622 (250 LF FENCE FOR POOL
BP09070955)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS
APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE
PERMITTING AND INSPECTION PROCESS.

Inspector Abin recommended ordering compliance with FBC(2014) 105.3.2.1 within 28 days and with FBC(2014) 110.6 within 180 days or a fine of \$50 per day, per violation.

John Adam Brown, owner, said he had owned the building since 1988. He displayed photos showing work that had been approved and completed on the property. He said he was talking to an architect about his future plans for the property and would probably demolish the existing building.

Judge Purdy found in favor of the City and ordered compliance with FBC(2014) 105.3.2.1 within 28 days and with FBC(2010) 110.6 within 180 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE14110561

3130 Southwest 15 Court
FEDERAL NATIONAL MORTGAGE ASSN.

This case was first heard on 2/5/15 to comply by 6/4/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$10,900 and the City was requesting the full fine be imposed.

Shari Carpenter, agent, said the bank had acquired the property in foreclosure in November 2014. She said the bank had paid a contractor, who boarded the property without a permit. There had been issues with the contractor's permit application because they did business in the City under a different name.

Maria Roque, Code Enforcement Officer, recommended imposing a fine for administrative costs totaling \$718.

Judge Purdy imposed a fine of \$718 for the days the property was out of compliance.

Case: CT15021066

201 Southwest 18 Avenue
HOLEY, SCOTT E & HOLEY, DAWN R

This case was first heard on 5/21/15 to comply by 8/20/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property was in compliance.

Jeremy Moening, tenant, requested a 180-day extension. He said he had already submitted a permit application.

Judge Purdy granted a 98-day extension to 1/21/16, during which time no fines would accrue.

Case: CE14031526

2990 Southwest 15 Avenue
FEDERAL NATIONAL MORTGAGE ASSN

This case was first heard on 5/15/14 to comply by 6/12/14. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$64,800 and the City was requesting the full fine be imposed.

Captain Robert Kisarewich, Fire Inspector, recommended reducing the fine to \$520 to cover administrative costs.

Edward McDonough, attorney, agreed to the fine reduction

Judge Purdy imposed a fine of \$520 for the days the property was out of compliance.

Case: CE15020089

2101 Northeast 51 Court
TORRES, ANGELO L JR

This case was first heard on 8/6/15 to comply by 8/16/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$750 and the City was requesting the full fine be imposed.

Angelo Torres, owner, provided invoices and said he had complied the violation by the ordered date. He said the contractor sent an invoice dated a week after the service was performed.

Judge Purdy imposed no fine.

Case: CE15060160

2120 Northwest 21 Terrace
PICO TURQUINO INVESTMENT LLC

Service was via posting on the property on 9/23/15 and at City Hall on 10/1/15.

Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-313(a)

HOUSE ADDRESS NUMBERS ARE NOT DISPLAYED OR VISIBLE
FROM THE STREET.

BCZ 39-132.(a)

THERE IS A NON-PERMITTED OPEN OUTDOOR STORAGE ON THE REAR OF THE DWELLING, INCLUDING BUT NOT LIMITED TO CARPET, TRAILER, WATER TANK, BUCKETS, METALS, JUNK ITEMS.

BCZ 39-79(e)

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE LARGE AREAS OF MISSING GROUND COVER, WHERE THERE IS BARE DIRT.

Complied:

18-12(a)

9-280(f)

Officer Quintero said the case was begun pursuant to a complaint and the owner was trying to comply. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE15072520

1458 Southwest 19 Avenue
HSBC BANK USA NA TRSTEE
%PNC MORTGAGE

Service was via posting on the property on 9/19/15 and at City Hall on 10/1/15.

Maria Roque, Code Enforcement Officer, testified to the following violation:
9-313(a)

HOUSE NUMBERS ARE NOT VISIBLE OR DISPLAYED ON THIS PROPERTY.

Officer Roque presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE15081798

2106 Southwest 3 Terrace
DRUMHELLER, IRVIN D JR EST

Service was via posting on the property on 9/14/15 and at City Hall on 10/1/15.

Maria Roque, Code Enforcement Officer, testified to the following violation:

18-1.

THERE IS AN EXCESSIVE ACCUMULATION OF ITEMS BEING STORED UNDER THE GARAGE OF THIS VACANT PROPERTY CREATING A PUBLIC NUISANCE THAT ADVERSELY AFFECTS THE SAFETY AND WELFARE OF THE COMMUNITY BY CREATING A HABITAT FOR VERMIN.

Officer Roque presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE11041035

433 Northwest 1 Avenue
METRO 1 FTL

Service was via posting on the property on 9/29/15 and at City Hall on 10/1/15.

George Oliva, Chief Building Inspector, testified to the following violation:
FBC 109.16

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH:
THE REQUIRED 40 YEAR BUILDING SAFETY INSPECTION CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

Inspector Oliva recommended ordering compliance within 42 days or a fine of \$200 per day.

Judge Purdy found in favor of the City and ordered compliance within 42 days or a fine of \$200 per day would begin to accrue.

Case: CE15081784

846 Northwest 4 Avenue
VALCOURT, HUGUETTE EST

Service was via posting on the property on 9/25/15 and at City Hall on 10/1/15.

Andre Cross, Code Enforcement Officer, testified to the following violation:

18-4(c)

THERE ARE UNLICENSED/INOPERABLE VEHICLES BEING
STORED ON THE PROPERTY.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE15081785

846 Northwest 4 Avenue
VALCOURT, HUGUETTE EST

Service was via posting on the property on 9/25/15 and at City Hall on 10/1/15.

Andre Cross, Code Enforcement Officer, testified to the following violation:

18-12(a)

THERE IS OVERGROWTH OF GRASS/PLANTS/WEEDS, TRASH AND
DEBRIS ON THIS PROPERTY.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE15051720

730 Northwest 5 Street
BASS, E J JR & JEANNE D &
BASS, E G & MARGARET L EST

Service was via posting on the property on 9/25/15 and at City Hall on 10/1/15.

Andre Cross, Code Enforcement Officer, testified to the following violations:

47-21.8.A.

THERE ARE AREAS OF DEAD AND MISSING GROUND COVER
IN THE SWALE AREA OF THE ABOVE PROPERTY NOT
MAINTAINED.

9-280(b)

THERE ARE EXTERIOR DOORS AT THE ABOVE PROPERTY
THAT ARE DETERIORATED AND ARE IN NEED OF REPLACING.

9-305(a)

THERE IS AN OVERGROWN TREE THAT HAS ENCROACHED

ONTO THE SIDEWALK AREA NOT GIVING PEDESTRIANS
CLEAR PATH OF PASSAGE.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED.
THE PAINT HAS BECOME STAINED. STRUCTURAL PARTS INCLUDING
FASCIA, SOFFITS AND BALCONIES HAVE LOOSE MATERIALS AND
NEED TO BE PATCHED AND/OR RESURFACED TO MATCH EXISTING
COLOR.

9-307(a)

THERE ARE WINDOWS ON THE PROPERTY THAT HAVE BEEN
REMOVED AND REPLACED WITH PLYWOOD TO INSTALL
WINDOW A/C UNITS. THEY ARE NOT INSTALLED PROPERLY
UP TO CODE.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation would begin to accrue.

Case: CE15081666

744 Northwest 15 Terrace
ADAN, GADI

Service was via posting on the property on 9/25/15 and at City Hall on 10/1/15.

Andre Cross, Code Enforcement Officer, testified to the following violations:

18-12(a)

THERE IS OVERGROWTH OF GRASS/PLANTS/WEEDS, TRASH AND
DEBRIS ON THIS PROPERTY.

47-21.8.A.

THERE ARE AREAS OF DEAD AND MISSING GROUND COVER
NOT MAINTAINED.

9-280(h)(1)

THE WOODEN FENCE AT THIS PROPERTY IS IN DISREPAIR.
THERE ARE MISSING AND BROKEN WOODEN SLATS IN NEED
OF REPLACING.

9-304(b)

THERE ARE VEHICLES CONSTANTLY PARKED ON THE LAWN.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance with 18-12(a) and 9-304(b) within 10 days and with 47-21.8.A. and 9-280(h)(1) within 35 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 18-12(a) and 9-304(b) within 10 days and with 47-21.8.A. and 9-280(h)(1) within 35 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE12031922

5125 Northeast 19 Avenue
HUDSON, JUDY H

Service was via posting on the property on 9/22/15 and at City Hall on 10/1/15.

Frank Arrigoni, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

BUILDING PERMIT 11080568 FOR TIKI HUT IS EXPIRED

Inspector Arrigoni recommended ordering compliance within 35 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day would begin to accrue.

Case: CE12041888

2111 Northeast 51 Court
WAVECREST PROPERTIES LLC

Service was via posting on the property on 9/22/15 and at City Hall on 10/1/15.

Frank Arrigoni, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

PLUMBING PERMIT 11090514 (REPLACE FIXTURES) IS
EXPIRED

Inspector Arrigoni recommended ordering compliance within 35 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day would begin to accrue.

Case: CE15010057

3047 North Federal Highway
OPD HOLDINGS LLC

Service was via posting on the property on 9/22/15 and at City Hall on 10/1/15.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2010) 105.11.2.1

THE FOLLOWING PERMIT WAS LEFT TO EXPIRE:
BUILDING PERMIT #12030824 (INSTALL SIGNAGE FORMED
PLASTIC LETTERS)

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVER-UP WITHOUT THE REQUIRED INSPECTIONS
APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE
PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC(2010) 105.11.2.1 within 35 days and with FBC(2010) 110.9 within 180 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with FBC(2010) 105.11.2.1 within 35 days and with FBC(2010) 110.9 within 180 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE15081814

1044 Northwest 7 Avenue
NORTH BIMINI LLC

Service was via posting on the property on 9/30/15 and at City Hall on 10/1/15.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS OVERGROWTH, LITTER AND DEBRIS ON THE
PROPERTY AND SWALE.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE15082329

1242 Northwest 3 Avenue
MARTIN, STEVEN M & MUNOZ, EMILIO

Service was via posting on the property on 9/24/15 and at City Hall on 10/1/15.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
18-12(a)

THERE IS OVERGROWTH, LITTER AND DEBRIS ON THE
PROPERTY AND SWALE.

18-4(c)

THERE IS AN UNLICENSED CADILLAC DEVILLE AT THE PROPERTY.

9-304(b)

THERE IS A CAR PARKED ON THE GRASS. THE GRAVEL DRIVEWAY IS IN DISREPAIR, AND HAS WEEDS GROWING THROUGH IT.

9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED, AND THERE ARE WEEDS COVERING THE PROPERTY.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE15071380

1540 Northeast 3 Avenue
KCKORP LLC

Service was via posting on the property on 9/30/15 and at City Hall on 10/1/15.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
47-34.1.A.1.

THERE IS OUTDOOR STORAGE IN THE CARPORT AND ON THE PROPERTY. THIS IS NOT A PERMITTED LAND USE IN

18-4(c)

THERE IS AN UNLICENSED TRAILER AND A TOYOTA WITH AN EXPIRED TAG, ON THE PROPERTY.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE15070690

1710 Northwest 9 Street
MILLER, TROY C

Stipulated agreement

Violations:
47-20.20.H.

THE PARKING LOT NEEDS TO BE RESURFACED AND
RESTRIPED.

47-21.8.A.

THE LANDSCAPING DOES NOT PRESENT A NEAT, WELL-KEPT
APPEARANCE. THERE ARE MISSING AND/OR BARE AREAS OF
LAWN COVER. THERE ARE MISSING AND/OR DEAD TREES,
HEDGES AND OTHER PLANT LIFE THAT HAVE NOT BEEN
MAINTAINED/REPLACED OR REMOVED.

47-34.1.A.1.

THERE ARE ITEMS BEING STORED OUTSIDE ON THE
PROPERTY. THIS IS NOT A PERMITTED USE ON AN RD-15
ZONED PROPERTY.

The City had a stipulated agreement with the owner to comply within 28 days or a fine of \$100 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 28 days or a fine of \$100 per day, per violation would begin to accrue.

Case: CE15070186

416 Northwest 19 Avenue
SB MIAMI DEVELOPMENT LLC

This case was first heard on 8/20/15 to comply by 8/30/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,650 and the City was requesting the full fine be imposed.

Judge Purdy Imposed the \$1,650 fine.

Case: CE15051089

216 Southwest 19 Street
216 PROPERTIES & MANAGEMENT LLC

This case was first heard on 8/20/15 to comply by 9/3/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$300 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

Case: CE14100843

217 Hendricks Isle # 401
VAN DER MERWE, GERRIT & VAN RENSBURG, J

This case was first heard on 6/18/15 to comply by 8/6/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$3,450 fine, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$3,450 fine, which would continue to accrue until the violations were corrected.

Case: CE15060385

1808 Southwest 9 Street
BANK OF NEW YORK MELLON TRSTEE
% SHELLPOINT MORTGAGE

This case was first heard on 8/20/15 to comply by 8/30/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$22,500 fine, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$22,500 fine, which would continue to accrue until the violations were corrected.

Case: CE15050900

2751 Northwest 24 Street
FEDERAL NATIONAL MORTGAGE ASSN

This case was first heard on 8/6/15 to comply by 9/3/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$8,200 fine, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$8,200 fine, which would continue to accrue until the violations were corrected.

Case: CE14082190

1124 Northwest 15 Court
DIESEN, BERNARD N

This case was first heard on 1/15/15 to comply by 7/16/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$2,250 fine, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$2,250 fine, which would continue to accrue until the violations were corrected.

Case: CT14051648

3355 Northeast 33 Street
GADDIS PROPERTIES LLC

This case was first heard on 9/3/15 to comply by 9/24/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,800 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

Case: CT14051650

3320 Northeast 33 Street
SWARAN G SINGH REV TR
GAYATRI P SINGH REV TR

This case was first heard on 9/3/15 to comply by 9/24/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,350 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

Case: CT14051654

3330 Northeast 33 Street
LADS RENTAL INC.

This case was first heard on 9/3/15 to comply by 9/24/15. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,350 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

Case: CE15071833

145 Northwest 68 Street
PAN AMERICAN CORP

Service was via posting on the property on 9/30/15 and at City Hall on 10/1/15.

Violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WAS/WERE LEFT TO EXPIRE:
ELECTRICAL PERMIT #08040180 (REPAIR OF ELECTRIC

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS
APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE
PERMITTING AND INSPECTION PROCESS.

The City requested a continuance to 11/5/15.

Judge Purdy continued the case to 11/5/15.

Case: CE13121166

1310 Northwest 46 Street
FEDERAL NATIONAL MORTGAGE ASSN. %ONE

Notice was mailed to the owner via first class mail on 10/8/15. Yvette Cross-Spencer, Clerk III, testified that the lien amount was \$12,000 and City hard costs totaled \$580.

Amir Saeed, attorney, confirmed the property was under contract for sale. He said the bank had obtained certificate of title in 2013 but the prior owner would not vacate. The prior owner had been evicted in April 2014 and the bank had taken care of the pool violation.

Ms. Hasan said the sale contract indicated a closing date of May 2015. Mr. Saeed phoned the realtor while Judge Purdy heard other cases.

Upon returning to the case, Mr. Saeed reported the contract with the May closing date had fallen through. There was a new offer on the property but no contract.

Judge Purdy reduced the lien amount to \$1,580 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE12050435

3121 Southwest 16 Court
SFRH SF RENTAL LP

Notice was mailed to the owner via first class mail on 10/8/15. AnnMarie Lopez, Project Specialist, testified that the lien amount was \$67,000 and City hard costs totaled \$304.

Jonathan Bloom, attorney, said his client had acquired the property through foreclosure and his client had remediated all of the violations. He requested a reduction to \$5,000.

Ms. Hasan stated SFRH had many cases before the Special Magistrate because they were not as responsive as they could be. Mr. Bloom said they were unaware of the liens until after they purchased this property.

Judge Purdy reduced the lien amount to \$6,304 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE05101495

1301 Northeast 3 Avenue
SFRH SF RENTAL LP

Notice was mailed to the owner via first class mail on 10/8/15. Yvette Cross-Spencer, Clerk III, testified that the lien amount was \$35,150 and City hard costs totaled \$1,454.

Jonathan Bloom, attorney, stated his client had complied all of the violations, which originated from the prior owner.

Judge Purdy reduced the lien amount to \$3,454 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE09011955

1440 Southwest 30 Street
ALBA FLORIDA RENTALS LLC

Notice was mailed to the owner via first class mail on 10/8/15. Yvette Cross-Spencer, Clerk III, testified that the lien amount was \$4,880 and City hard costs totaled \$350. Jonathan Bloom, attorney, stated his client had complied all of the violations, which originated from the prior owner.

Judge Purdy reduced the lien amount to \$1,350 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE12032150

1050 Alabama Avenue
SFRH SF RENTAL LP

Notice was mailed to the owner via first class mail on 10/8/15. Yvette Cross-Spencer, Clerk III, testified that the lien amount was \$5,000 and City hard costs totaled \$350.

Jonathan Bloom, attorney, requested the lien be reduced to \$1,000.

Judge Purdy reduced the lien amount to \$1,350 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE07110919

1492 Holly Heights Drive
KK PARTNERS LLC % M KATZ

Notice was mailed to the owner via first class mail on 10/8/15. Yvette Cross-Spencer, Clerk III, testified that the lien amount was \$29,425 and City hard costs totaled \$442.

Steven Bader, managing member, said he purchased the property in July 2015 and he had been unaware of the liens and fines until after the inspection period. He stated the

prior owner had complied the violations after hiring a property manager and he did not know why the owner had not addressed the fines. Mr. Bader said he had put additional funds in escrow at closing to address the liens.

Judge Purdy reduced the lien amount to \$1,442 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE10070600

884 W Dayton Cir
FEDERAL NATIONAL MORTGAGE ASSN.

Notice was mailed to the owner via first class mail on 10/8/15. AnnMarie Lopez, Project Specialist, testified that the lien amount was \$12,350 and City hard costs totaled \$212.

Edward McDonough attorney, confirmed there was a closing scheduled on sale of the property on October 23. He said the violations were caused by a prior owner and his client had done the work to comply. He requested a reduction to hard costs.

Ms. Hasan asked about escrow for payment of the liens but Mr. McDonough was unaware of any.

Judge Purdy reduced the lien amount to \$912 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

The following two cases for the same owner, at the same address, were heard together:

Case: CE08072322

3001 East Commercial Boulevard
ANTIMUCCI, F& ANTIMUCCI, LINDA &

Notice was mailed to the owner via first class mail on 10/8/15. AnnMarie Lopez, Project Specialist, testified that the lien amount was \$24,300 and City hard costs totaled \$350. Total liens for both cases: \$45,705 ; total hard costs: \$700.

Frank Walker, attorney, confirmed that a tenant had installed an illegal sign, resulting to the fines and liens. He said since his client had owned the property, it had been "one problem tenant after another" and he requested the fines be waived. Mr. Walker said his client had been unaware of the first violation but noted the illegal sign had been removed immediately after being cited. The fines had run because the tenant had not applied for a permit for the sign. Mr. Walker said his client did not recalled receiving notices about the violations.

Regarding the second violation, Mr. Walker stated a second tenant had done the same thing: installed an illegal sign. The violation had been complied immediately, but the City had never closed out the violation.

Judge Purdy reduced the lien amount to \$1,350 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE10051025

3001 East Commercial Boulevard
ANTIMUCCI, F & ANTIMUCCI, LINDA &

Notice was mailed to the owner via first class mail on 10/8/15. AnnMarie Lopez, Project Specialist, testified that the lien amount was \$21,405 and City hard costs totaled \$350.

Judge Purdy reduced the lien amount to \$1,350 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE13091616

1217 Northwest 13 LA
DACA MANAGEMENT LLC

Notice was mailed to the owner via first class mail on 10/9/15. AnnMarie Lopez, Project Specialist, testified that the lien amount was \$12,900 and City hard costs totaled \$1,270.

Daniel Gitlin, broker, confirmed his client had obtained ownership through foreclosure and addressed the violations within a couple of months of purchasing it.

Judge Purdy reduced the lien amount to \$2,750 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE10082026

1650 Southwest 27 Avenue
ECHOLS, AARON

Notice was mailed to the owner via first class mail on 10/8/15. Yvette Cross-Spencer, Clerk III, testified that the lien amount was \$2,300 and City hard costs totaled \$1,180.

Aaron Echols, owner, said he had been unaware of the violations when he purchased the property and it had taken a long time to go through the process of remediating the violations and paying for permits. Ms. Goldwire explained the total hard costs, which

were related to inspections and notice mailings. Ms. Hasan suggested the time allowed for paying the liens be longer than most others.

Judge Purdy reduced the lien amount to \$1,180 payable within 6 months. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Case: CE10101100

1033 Northeast 16 Terrace
MAINI, ARCHANA

Notice was mailed to the owner via first class mail on 10/8/15. AnnMarie Lopez, Project Specialist, testified that the lien amount was \$74,275 and City hard costs totaled \$691.

Archana Maini, owner, stated he had transferred the property to his wife only in May 2013. He said they had purchased the property in 2009 and hired a contractor to comply the violations but the contractor had cheated him. He explained he had lost a lot of money on this property because it could not be rented for years while the violations were being worked on.

Judge Purdy reduced the lien amount to \$3,191 payable within 45 days. If payment was not made by that date, the lien would revert the original amount and the case would not be eligible for a future lien reduction hearing.

Cases Complied

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE15081664	CE15081665	CE15070194	CE15072534
CE14102364	CE15010074	CE15032053	CE15071868
CE15071873	CE15071876	CE15010075	CE15070004
CE15071853	CE15071860	CE15070687	CE15070687
CE15080748	CE15071158	CE15071754	CE15080747

Cases Rescheduled

The below listed cases were rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None.

Cases Closed

The below listed cases were closed. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE15071811

Cases Withdrawn

The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE15010079

Respondent Non-Appearance

Respondents for the below listed cases did not appear. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None.

There being no further business, the hearing was adjourned at 12:12 P.M.

Special Magistrate

ATTEST:

Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services